

Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 HA-05 L-03 H-01
CIAE-00 DODE-00 INR-10 NSAE-00 PA-01 ICA-11 SP-02
/069 W

-----103072 050630Z /11

R 041500Z APR 78
FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC 882
INFO AMCONSUL CAPE TOWN
AMCONSUL DURBAN
AMCONSUL JOHANNESBURG
USMISSION GENEVA
AMEMBASSY LONDON
USMISSION USUN NEW YORK

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CAPE TOWN ALSO FOR EMBASSY

E.O. 11652: N/A
TAGS: PINT, SHUM, SF
SUBJECT: LEGAL STATUS OF PETER JONES ET AL.

REF: CAPE TOWN 407

1. ACCORDING TO RECENT PRESS REPORTS, PETER JONES, PATRICK TITI, AND MS. XOLISWA NQABENI, ALL OF WHOM WERE INVOLVED IN ALLEGED "CONFESSIONS" PRESENTED DURING THE BIKO INQUEST, HAVE BEEN REMOVED FROM SECTION 6 TERRORISM ACT DETENTION AND PLACED UNDER SECTION 10 DETENTION UNDER THE INTERNAL SECURITY ACT IN GRAHAMSTOWN (EASTERN CAPE). SECTION 10, THE PREVENTIVE DETENTION CLAUSE OF THE ACT, PROVIDES FOR DETENTION OF PERSONS WHO ARE NOT TO BE CHARGED OR INTERROGATED. IN RESPONSE TO A QUESTION BY HELEN SUZMAN IN PARLIAMENT, MINISTER OF JUSTICE JIMMY KRUGER CONFIRMED THAT PETER JONES WILL NOT

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BE CHARGED WITH ANY CRIME. (THE PRACTICAL EFFECT OF SECTION 10 DETENTION IS THAT THE DETAINEE CAN HAVE VISITORS, SEND LETTERS, RECEIVE FOOD PARCELS AND ENJOY OTHER AMENITIES NOT AVAILABLE TO SECTION 6 TERRORISM ACT DETAINEES.)

2. ACCORDING TO PRESS REPORTS, OTHER DETAINEES HELD UNDER

THE INTERNAL SECURITY ACT IN GRAHAMSTOWN ARE BARNEY
PITYANA, THAMI ZANI, MOKI CEKISANI, RAY MAGIDA, MRS.
NOHLE MOHAPI (WIDOW OF MAPETLA MOHAPI WHO DIED IN DE-
TENTION), FIKELE MLINDA, MBUYISELO MADAKA, MS. ASHA
RAMBALLY, AND MCGLORY SPEKMAN.

3. COMMENT: IF AND WHEN THE SAG DECIDES TO RELEASE THE
DETAINEES, IT WILL BE CONSIDERABLY EASIER TO DO SO IF THEY ARE
HELD UNDER THE INTERNAL SECURITY ACT AS OPPOSED TO THE
TERRORISM ACT, UNDER WHICH THESE THREE WERE ORIGINALLY
HELD. THE MOST PROMINENT BLACKS LIKE QOBOZA AND
MOTLANA CAUGHT IN THE OCTOBER 19 SECURITY SWEEP WERE ALL
HELD UNDER SECTION 10 OF THE INTERNAL SECURITY ACT.
BOWDLER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DETENTION, ALLEGATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 04 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978PRETOR01870
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780146-0713
Format: TEL
From: PRETORIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780495/aaaadcmd.tcl
Line Count: 76
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: dd227db6-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 CAPE TOWN 407
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 19 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3081064
Secure: OPEN
Status: NATIVE
Subject: LEGAL STATUS OF PETER JONES ET AL.
TAGS: PINT, SHUM, SF, (JONES, PETER)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/dd227db6-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
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